

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

Stephen Michael Page,

Civil Action:

00 CR 15

VERSUS

FILED  
STATESVILLE, NC

United States of America,

MAR 28 2019

U.S. District Court  
Western District of N.C.

New Pro Tunc Petition

FOR RE-EVALUATION OF CASE

Instant Petitioner in pro se capacity  
hereby appears to demand immediate  
release from term of imprisonment  
charged and amended by way of  
WAIV.

The First Step Act mandates change  
and modification of sentencing law, that  
articulates by Act of Congress that Courts  
must recalculate cases for 2 level reductions  
in accordance with the Fair Sentencing Act  
whereas United States v. Proctor, indeed  
was eligible for a sentence reduction despite  
the career offender designation. When the  
Court calculates relevant drug quantity under  
U.S.S.G. § 2D1.1 and not U.S.S.G. § 4B1.1  
then a defendant under Amendment 782  
is in fact eligible for a level reduction.  
See United States v. Robinson 2017 U.S. Dist.

LENIS 126771 (D. NC. August 9, 2017). Id.

397 Fed. Appx. 898, 899-900 (4th Cir. 2010).

Additionally, whereas Petitioner had objected to ineligibility determination the 'Rule of lenity' in fact favors the Petitioner's preserved denial of Accordance as to the FSA encompassed with the literal language of The First Step Act.

Moreover, Petitioner's cooperation did incorporate relief pursuant to Hughes v. United States. As well, the Amendmant 809 Drug Conviction Table in context by the First Step Act established this Petitioner's term of imprisonment as an infringement upon Due Process. See § 2D1.1 et. seq.

Immediate Release and Dis-Section As for Supervised Release is in order by Adoption of the changes as law pursuant to the Rule of lenity and the Sixth Amendment.

Career Offender Assignment meant Chapter 4 not Chapter 2. Further, Conspiratorial drug weight is error as Petitioner may only be liable for individual drug weight.

3553(a) demanded the consideration of cooperation and Rule 35 dictates Hughes v. United States, entitled Petitioner a reduction in sentence under post imprisonment Motion.

## Conclusion

Petitioner by law from Congressional authority has standing to relief. And by precedent is with merit to oppose career offender assignment through offenses no longer sufficient to justify miscarriage of justice.

The Text of law dictates Petitioner's term of imprisonment was never sufficient or necessary beyond 8 years.

Wherefore, immediate release from unconstitutional confinement the Court unreasonably enjoined, determined, and imposed contrary to justice.

With A Right To Be,

Mr. Stephen Michael Pyle

Proof

I certify to send 1 original to all parties. The Court Clerk is directed to also the U.S. Attorney's Office a copy which payment for is remit upon release s